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VIA ECF

Honorable Philip M. Halpern, U.S.D.J.
United States District Court
Southern District of New York
Hon. Charles L. Brieant Jr. Federal Building and Courthouse
300 Quarropas Street
White Plains, New York 10601

Re: *Jose Grullon v. SODEXO, John Ceccolini, and Babatunde Cole*
7:23 Civ. 09142 (PMH)

Dear Judge Halpern:

This firm represents Sodexo, John Ceccolini, and Babatunde Cole (the “Defendants”) in connection with the above-referenced *pro se* Complaint filed by Jose Grullon (“Plaintiff”), (collectively, “the Parties”).

On February 6, 2024, Susanne Toes Keane, Esq., appeared in this action to serve as Plaintiff’s *pro bono* counsel for the limited purpose of providing him with advice and representation in settlement negotiations. (ECF No. 16). On March 22, 2024, the Parties appeared for a mediation conference before the court appointed mediator. Ms. Keane represented Plaintiff throughout the proceedings. As required, the Parties now write jointly to advise the Court of that mediation’s results. After over five hours, the Parties succeeded in reaching a settlement.

Regrettably, Plaintiff has since contacted Ms. Keane to advise that he longer wishes to proceed with the settlement. On April 3, the undersigned met with Ms. Keane and the mediator to consider Plaintiff’s recent communication. Defendants are now considering whether to move to enforce the settlement reached and, if they pursue this application, will file a pre-motion letter in accordance with the Court’s Individual Practices.

Consequently, Defendants request an extension of time, from April 5, 2024 to April 19, 2024 to either respond to Plaintiff’s Complaint via a pre-motion letter for a conference related to their motion to dismiss *or* request a pre-motion conference to enforce the settlement agreement previously reached. This is Defendants second request for an extension of this deadline; Defendants first made this request to allow them an opportunity to provide Plaintiff with a letter outlining the inadequacy of his pleadings (which Defendants sent to Plaintiff on January 31, 2024

Application granted. The time for defendants to answer or otherwise file a pre-motion letter with respect to the complaint is extended to April 19, 2024.

SO ORDERED.



Philip M. Halpern
United States District Judge

Dated: White Plains, New York
April 4, 2024

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and to which Plaintiff has not responded). (ECF. No. 15). The Parties then made a joint request to extend this deadline to allow them to focus on mediation. (ECF No. 18).

Defendants have contacted Plaintiff to obtain his consent for the instant request but have not heard back from him. No other pending deadlines will be affected by this extension. We thank you for your continued consideration.

Very truly yours,

Jessica G. Palmese /S/

Jessica Giambrone Palmese

cc: Jose Grullon, *pro se* Plaintiff
via Email & Fed-Ex

Susanne Toes Keane, Esq.
via ECF